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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,792	10/22/1999	CHIORI MOCHIZUKI	35.G2482	6000
5514	7590 06/21/20	04	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			YE, LIN	
00 110 01	ELLER PLAZA K, NY 10112		ART UNIT PAPER NUMBER	
	-, - · · · · · · · · · · · · · · · · · ·		2612	
			DATE MAILED: 06/21/2004	1 14

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Application No. Applicant(s)				
Advisory Admn	09/422,792	MOCHIZUKI, CHIORI				
	Examiner	Art Unit				
	Lin Ye	2612				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address						
THE REPLY FILED 01 June 2004 FAILS TO PLACE TO Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (condition for allowance; (2) a timely filed Notice of Appel Examination (RCE) in compliance with 37 CFR 1.114.	avoid abandonment of (1) a timely filed amend	this application. A proper re Iment which places the appli	ply to a cation in			
PERIOD FOR REPLY [check either a) or b)]						
a) The period for reply expires 3 months from the mailing date of b) The period for reply expires on: (1) the mailing date of this Adevent, however, will the statutory period for reply expire later the ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The data have been filed is the date for purposes of determining the period of exter 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortene (b) above, if checked. Any reply received by the Office later than three mearned patent term adjustment. See 37 CFR 1.704(b).	Nisory Action, or (2) the date shan SIX MONTHS from the most FILED WITHIN TWO MONate on which the petition undension and the corresponding and statutory period for reply original and statutory period for re	ailing date of the final rejection. THS OF THE FINAL REJECTION. r 37 CFR 1.136(a) and the appropriat mount of the fee. The appropriate ex ginally set in the final Office action; or	See MPEP e extension fee tension fee under (2) as set forth in			
1. A Notice of Appeal was filed on Appellant 37 CFR 1.192(a), or any extension thereof (37 CF		•				
2. The proposed amendment(s) will not be entered be	oecause:					
(a) 🛛 they raise new issues that would require furth	ner consideration and/o	r search (see NOTE below);				
(b) they raise the issue of new matter (see Note	below);					
(c) they are not deemed to place the application issues for appeal; and/or	in better form for appe	al by materially reducing or	simplifying the			

(d) they present additional claims without canceling a corresponding number of finally rejected claims.

4. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment

5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the

6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly

7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

8. The drawing correction filed on ____ is a) approved or b) disapproved by the Examiner.

9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). 11 and 12.

10. ☐ Other:

NOTE: See attached.

Claim(s) allowed: _____.
Claim(s) objected to: <u>1-53</u>.
Claim(s) rejected: ____.

canceling the non-allowable claim(s).

application in condition for allowance because: _

The status of the claim(s) is (or will be) as follows:

Claim(s) withdrawn from consideration:

raised by the Examiner in the final rejection.

3. Applicant's reply has overcome the following rejection(s): _____.

Art Unit: 2612

DETAILED ACTION

Response to Arguments

1. Applicant's proposed amendments filed on 6/1/04 to the claims 1-53 will not be entered and the final rejection stands because:

For claims 1, 5, 23, 27, 31, 38, 45 and 52, would require further search and consideration as to the merits for regarding the amended "... wherein the plural photoelectric conversions elements, the plural switching elements, and the flattening layer are situated between the sensor substrate and wavelength converter". For this reason, the amendment filed on 6/1/04 will not be entered.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (703) 305-3250. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

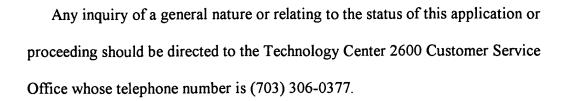
Washington, DC. 20231

Or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2612



Lin Ye June 14, 2004 WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600